



Docket No. HUM00-23 (2976-4037)
(As Amended)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tim KEITH et al.

Group Art Unit: 1655

Serial No.: 09/627,465

Examiner: J. Einsmann

Filed: July 28, 2000

For: *Novel Human Genes Related to Respiratory Diseases and Obesity*

AMENDMENT FEE TRANSMITTAL

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is a Preliminary Amendment for the above-identified application.

- ☒ No additional fee is required.
- ☐ The additional fee has been calculated as shown below:

CLAIMS AS AMENDED

| | Claims Remaining After Amendment | Highest No. Covered by Previous Payments | Extra | Rate | Additional Fee |
|---------------------------------|--|---|-------|------------------|-------------------|
| Total Claims* | 22 - | 33 | 0 | \$18.00/ \$9.00 | \$ 0.00 |
| Independent Claims | 5 - | 10 | 0 | \$84.00/ \$42.00 | \$ 0.00 |
| Multiple Dependent Claims | (If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$280.00 to additional fee (\$140.00 for small entity). | | | | \$ |
| TOTAL | | | | | \$ 0.00 |

*Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

- ☐ Small entity status is or has been claimed.
Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$

- ☐ _____ Pages Sequence Listing
- ☐ _____ Computer disk(s) containing substitute Sequence Listing
- ☐ Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.
- ☐ A check in the amount of \$_____ to cover the filing fee is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2976-4037. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 2, 2002

By: Leslie Serunian
Leslie Serunian
Registration No. 35,353

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tim KEITH et al.

Group Art Unit: 1655

Serial No.: 09/627,465

Examiner: J.C. Einsmann

Filed: July 28, 2000

For: ***NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY***

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: EV 094 891 842 US

Date of Deposit: April 2, 2002

I hereby certify that the following attached paper(s) and/or fee

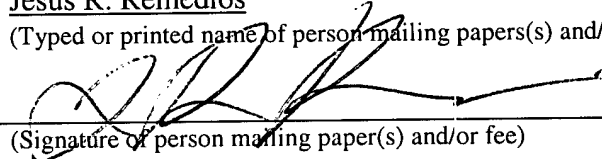
1. Preliminary Amendment (9 pages);
2. Amendment Fee Transmittal, No Fee Due, (2 pages);
3. Return Postcard

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TECH CENTER 1600/2900

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

Jesus R. Remedios

(Typed or printed name of person mailing papers(s) and/or fee)


(Signature of person mailing paper(s) and/or fee)

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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tim KEITH et al.
Serial No. : 09/627,465 Art Unit: 1655
Filed : July 28, 2000 Examiner: Juliet C. Einsmann
For : **Novel Human Genes Relating to Respiratory Diseases and Obesity**

Commissioner for Patents
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

TECH CENTER 1600/2900

Dear Sir:

This Preliminary Amendment is submitted in the above-identified application prior to the examination of the application. Entry and consideration of this Preliminary Amendment in conjunction with applicants' response as filed on April 1, 2002, in reply to the October 1, 2001 PTO communication, are respectfully requested.

IN THE CLAIMS

Cancelled Claims:

Please cancel without prejudice claims 1-15, 20, 21 and 27.

New Claims:

Please add claims 34-55 as follows:

- Sub DI
34. (New) An isolated nucleic acid molecule selected from the group consisting of:
- (a) SEQ ID NO:1;
 - (b) a complementary nucleic acid sequence of SEQ ID NO:1; and
 - (c) a nucleic acid sequence comprising at least 50 nucleotides which hybridizes under stringent conditions to SEQ ID NO:1.
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